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11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 BEERPARTNERS.LV, LLC, a Nevada limited
14 liability company,

15 Plaintiff,

v.

16 THE SHOPPES AT THE PALAZZO, LLC, a
17 Delaware limited liability company,

18 Defendant.

19 CASE NO.: 2:23-cv-00387-GMN-BNW

20 **STIPULATION TO EXTEND
DISCOVERY DEADLINES**

21 **FIRST REQUEST**

22 Pursuant to LR IA 6-1, LR IA 6-2, LR 7-1, and LR 26-3, Plaintiff Beerpartners.LV, LLC
23 (“Plaintiff”) and Defendant The Shoppes at the Palazzo, LLC (“Defendant”, and together with
24 Plaintiff, the “Parties”) by and through their undersigned counsel, hereby stipulate, contingent
25 upon this Court’s approval to extend the remaining discovery deadlines set forth in the Court’s
26 Scheduling Order (ECF No. 13). This is the parties’ first request to extend the subject deadlines.

27 **A. The Discovery Completed to Date:**

28 Pursuant to LR 26-3(a), the following discovery has been completed to date:

29 1. Plaintiff served its Fed. R. Civ. P. (“FRCP”) 26(a)(1) Initial Disclosure of
30 Documents and Witnesses on August 14, 2023.

31 2. Plaintiff served its First Set of Interrogatories and First Set of Requests for
32 Production of Documents to Defendant on August 14, 2023.

33 3. Defendant served its FRCP 26(a)(1) Initial Disclosure of Documents and

1 Witnesses on September 13, 2023.

2 4. Defendant served its responses to Plaintiff's First Set of Interrogatories and First
3 Set of Requests for Production of Documents to Defendant on September 13, 2023.

4 5. The Parties met and conferred regarding Defendant's written discovery responses
5 on October 11, 2023.

6 6. Defendant served its First Set of Interrogatories, First set of Requests for
7 Admission, and First Set of Requests for Production of Documents to Plaintiff on November 3,
8 2023.

9 7. Defendant supplemented its written discovery responses on November 8, 2023,
10 pursuant to the October 11, 2023, meet and confer.

11 8. Defendant supplemented its FRCP 26(a)(1) Disclosures on November 8, 2023.

12 9. Plaintiff noticed the FRCP 30(b)(6) deposition of Defendant.

13 **B. The Discovery that Remains to be Completed:**

14 Pursuant to LR 26-3(b), the following discovery remains to be completed:

15 1. Plaintiff must respond to Defendant's First Set of Interrogatories, First set of
16 Requests for Admission, and First Set of Requests for Production of Documents.

17 2. Plaintiff must review Defendant's supplemental written discovery responses and
18 determine whether additional meet and confer efforts are necessary.

19 3. Plaintiff must depose Defendant's FRCP 30(b)(6) designee.

20 4. Plaintiff may need to depose additional parties.

21 5. Plaintiff may need to subpoena third parties for documents and information.

22 6. Defendant must depose Plaintiff's FRCP 30(b)(6) designee.

23 7. Defendant may need to depose additional third parties.

24 **C. The Reasons Why Specified Discovery Has Yet to Be Completed:**

25 Pursuant to LR 26-3(c), the reasons why discovery is not yet completed are set forth as
26 follows:

27 From the inception of this action through the present, the Parties have been engaged in

1 settlement discussions with the goal of settling this dispute in its entirety. As such, while the
 2 Parties have been engaged in discovery in preparation for the chance that settlement negotiations
 3 fall through, they have delayed and/or granted extensions with respect to certain discovery with
 4 an eye toward conserving costs and allowing the Party representatives to negotiate in good faith
 5 without the pressure of looming response deadlines and costly depositions.

6 Additionally, Defendant has just recently supplemented its written discovery responses
 7 following Plaintiff's meet and confer efforts. Defendant's supplemental responses disclosed a
 8 significant number of new documents that Plaintiff must analyze to determine whether additional
 9 meet and confer efforts are necessary. If such meet and confer efforts do not resolve any remaining
 10 discovery disputes, Plaintiff may need to file a motion to compel discovery, or otherwise issue
 11 another set of discovery requests, and will require additional time to do so.

12 **D. A Proposed Schedule for Completing All Remaining Discovery:**

13 Pursuant to LR 26-3(d), the Parties propose the following schedule to complete all
 14 remaining discovery:

| Discovery Event | Current Deadline | Extended Deadline |
|-------------------------------------|-------------------------|--------------------------|
| Amending Pleadings / Adding Parties | September 7, 2023 | No change |
| Discovery Completion | December 6, 2023 | February 5, 2024 |
| Initial Disclosure of Experts | October 9, 2023 | No change |
| Rebuttal Expert Opinions | November 8, 2023 | No change |
| Dispositive Motions | January 5, 2024 | March 6, 2024 |
| Pre-Trial Order | February 5, 2024 | April 5, 2024 |

20 **E. Good Cause**

21 Pursuant to LR IA 6-1(a) and LR 26-3, good cause exists to extend the deadlines under the
 22 Scheduling Order, as the parties have been diligently cooperating to exchange discovery while also
 23 allowing the Parties time to continue their settlement negotiations. Despite the ongoing
 24 negotiations, the Parties have kept discovery moving forward, and anticipate that they will need
 25 only a 60-day extension to either complete discovery or settle the instant dispute. This is the
 26 Parties' first request to extend any of the discovery deadlines in this matter, and this stipulation is
 27

1 submitted more than 21 days prior to the close of discovery. This stipulation is not intended to
2 cause undue delay.

3 IT IS SO STIPULATED.
4

5 Submitted by:
6

7 Dated this 14th day of November, 2023.
8

HOLLEY DRIGGS

9 /s/ F. Thomas Edwards

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14 Attorneys for Plaintiff

15 Dated this 14th day of November, 2023.
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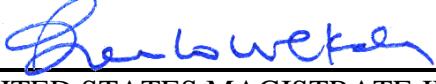
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17 /s/ Ryan W. Daniels

18 Anthony J. Celeste (NBN 8776)
19 Ryan W. Daniels (NBN 13094)
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22 Attorneys for Defendant

23 IT IS SO ORDERED.
24

25 
26 UNITED STATES MAGISTRATE JUDGE
27

Dated: 11/15/2023